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ABSTRACT

This publication provides an overview of attention deficit disorders (ADD) and the legal rights of students with ADD to educational services under federal legislation. Possible accommodations that schools can make for students with ADD are provided and include: (1) educate teachers and staff concerning the nature of ADD and the proper techniques for interacting with students with ADD; (2) provide structure and reduce distraction in class; (3) simplify and repeat, as necessary, instructions regarding class and homework; (4) give instructions clearly, both orally and in writing; (5) provide frequent and specific feedback from teachers; (6) provide accommodations such as taped textbooks, tape recorders, repetition, time for questions, summaries, study guides, extra time for assignments, course modifications, tailored homework assignments, modified text books and work books, and priority seating in the front of the room; (7) provide test accommodations such as extra time, quiet room, alternative formats, and opportunities to ask questions; (8) provide one-on-one tutorials, classroom aides, note takers, and a services coordinator; (9) modify non-academic times; and (10) use behavioral management techniques and tailor responses to the needs of students with ADD. Possible strategies for students with ADD are also provided. (CR)

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Attention Deficit Disorder

IN SCHOOL

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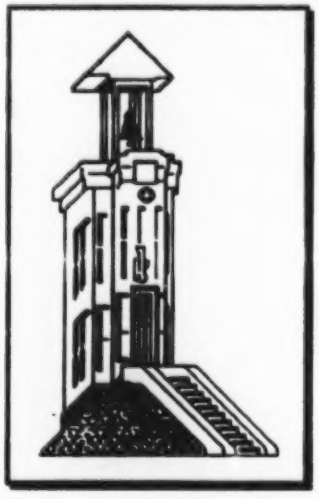

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Attention Deficit Disorder

Attention Deficit Disorder (ADD) is a neurologically based disorder that impacts upon learning and behavior. Specifically, the disorder may involve attention deficits, impulsivity, hyperactivity, mood swings, low stress tolerance and difficulty in following rules. It is a hidden disability which often impacts upon an individual's performance in school and life in general. ADD is not the result of poor parenting, inadequate teaching, laziness or emotional disturbance. It is frequently mislabeled, misdiagnosed and misunderstood.

ADD, once considered to be a disorder of childhood that is outgrown, is now recognized as frequently extending into the high school years and even being a lifelong disability for many people. In school there may be problems with organizing, prioritizing, completing tasks on time, doing lengthy assignments, performing tasks with many steps, writing papers, performing mathematical calculations, dealing with authority, interacting with

other children in an appropriate manner, meeting expectations and following rules. Many students with ADD also have other learning disabilities.

There are many positive traits often seen in students with ADD: high energy level, intensity about interests, creativity and responsiveness to structure. Properly channeled, these qualities can lead to success in learning.

While ADD cannot be "cured", medication and other treatments are proving helpful. Children with ADD can be successful in the learning. School, family and other social supports, combined with advocacy by the child with ADD, to the extent possible at each stage, are key elements in achieving success.

Legal Rights of the Student with ADD

ADD may be a disability under three important federal statutes : the Individuals with Disabilities Education Act (IDEA), the Rehabilitation Act of 1973 (RA) and the Americans with Disabilities Act (ADA).

The IDEA (20 U.S.C. § 1400 *et seq.*) provides special education and related services for "children with disabilities" who "by reason thereof need special education and related services." A September 1991 Department of Education memorandum confirmed that children with ADD may receive services as children with disabilities under a number of categories : other health impaired, specific learning disabilities and seriously emotionally disturbed. Indeed, the definition of specific learning disability arguably includes ADD because it expressly includes the term "minimal brain dysfunction" which is the term used earlier for ADD. The IDEA provides for a Free Appropriate Public Education (FAPE) and for an Individualized Educational Plan (IEP).

Practically, parents may request from the public school special education and related services for their child. The school will evaluate the child. If the eligibility committee agrees on the need for special education and related services, school personnel and parents will develop an IEP. In the event of disagreement, parents may seek informal resolution or resort to a Due Process Hearing.

Section 504 of the RA prohibits discrimination against students with impairments that substantially limit a major life activity such as learning. The RA applies to public and private schools that receive federal funds. The RA requires that students with impairments that substantially limit a major life activity, such as learning, be provided accommodations, auxiliary aids and services so that courses, examinations and activities will be accessible to them. A child found ineligible under the IDEA still may be eligible for services under Section 504. Parents may contact the school 504 Coordinator to start the process that may result in a 504 Plan.

The ADA prohibits discrimination against students with impairments that substantially limit a major life activity, such as learning. The ADA applies to all public and most private schools. Private schools are covered even if they do not receive federal funds. Religiously controlled schools are exempt.

There are various mechanisms to enforce these statutes. Complaints may be filed with the Office for Civil Rights of the Department of Education. The ADA may be enforced by the Department of Justice as well as by private law suits. Schools have been held accountable and in one instance a teacher was held liable for refusing to provide adjustments clearly spelled out in an IEP.

Possible Accommodations by Schools

Schools must provide services to students with ADD who meet the criteria under the laws described above. The 1991 Department of Education memorandum suggests that the

needs of most students with ADD may be met in the regular classroom with adjustments and aids. In general, adjustments or accommodations should provide the student with understanding of his or her disability, structure and reduced distractions, assistance with organizing and prioritizing, clear guidance as to expectations, and specific and repeated instructions. As with any disability, particular accommodations should be tailored to individual needs to maximize success in school. Possible specific accommodations are set forth below.

1. Educate teachers and school staff concerning the nature of attention deficit disorder and the proper techniques for interacting with students with this condition.

2. Provide structure and reduce distraction in class.

3. Simplify and repeat, as necessary, instructions regarding class and homework.

4. Give instructions clearly - both orally and in writing.

5. Provide frequent and specific feedback from teachers.

6. Accommodations in class may include taped textbooks, tape recorders, repetition, time for questions, summary of important points, study guide, extra time for assignments, course modifications, tailoring homework assignments, breaking large assignments down into manageable parts, modified text books and work books and priority seating in the front of the room.

7. Accommodations in examinations may include extra time, quiet room, alternative format and opportunity to ask questions.

8. Provide "one-on-one" tutorials, classroom aides, note takers and a services coordinator. Adjust class schedules. Make accessible audio and video equipment.

9. Modify non-academic times (e.g. lunch, recess and physical education).

10. Use behavioral management techniques and tailor responses to the needs of students with ADD (e.g. praise for accomplishments is more effective than blame for deficiencies, and structure may be constructive, whereas harsh penalties and criticism are usually destructive.

Possible Strategies for Students

Parents of students with ADD should inform themselves about the disability - the medical, educational and legal aspects. They may obtain help from professionals, disability organizations and support groups to assist their children in developing effective strategies and in obtaining suitable accommodations in school. As students mature, they should become informed and effective advocates for themselves. As with any disability, strategies should be tailored to individual needs to maximize success in school. Possible strategies are set forth below.

1. Understand your disability and adopt strategies for dealing with it.

2. Sit toward the front of the class to help you focus.

3. If you can select courses, choose ones that match your interests and learning style; avoid courses in your greatest area of difficulty. If you must take a difficult class, consider taking it in the Summer or in a semester with a light load.

4. Keep a planner (assignment book or electronic scheduler) in which you record your assignments/meetings/activities.

5. Pick a quiet and comfortable study place and keep it clean and orderly to reduce distraction (probably not near the telephone if you are a teenager). Schedule study periods and take frequent breaks to get physical movement and refresh yourself.

6. Break your homework tasks into parts and set your personal deadlines for each part so that the whole task will be completed on time.

7. Set aside 15 minutes at the end of your study time to plan the next day - teachers you need to see, assignments to turn in and questions to ask.

8. Ask if you do not understand an exam question, and if you remain unsure, put down information you know that relates to the question so you may get some credit and the teacher will know you are trying.

9. Use your strengths to promote success by suggesting a project you can do in place of one you can't do or even for extra credit (e.g. construct a model or produce a video instead of writing a long paper).

10. Take "time out" if you are feeling frustrated or angry. Give yourself time to "cool down" and focus on what is important. This will help to avoid conflicts with your teachers and your fellow students.

Resources

1. ATTENTION DEFICIT DISORDER ASSOCIATION (ADDA)
P.O. Box 972
Mentor, Ohio, 44061
(800)487-2282

2. CH.A.D.D. (CHILDREN AND ADULTS WITH ATTENTION DEFICIT DISORDER)
499 Northwest 70th Avenue, Suite 308
Plantation, Florida 33317
(305) 587-3700

3. DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
330 C Street, SW
Washington, D.C. 20202-2720
(202) 205-9645

4. DEPARTMENT OF JUSTICE
ADA Information
(800) 514-0301

5. LEARNING DISABILITIES ASSOCIATION
4156 Library Road
Pittsburgh, PA 15234
(412) 341-1515

6. NATIONAL CENTER FOR LEARNING DISABILITIES
381 Park Avenue S. #1420
New York, N.Y. 10016
(212) 545-7510